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SUBJECT: JEWISH CEMETERY IN VILNIUS - OVERVIEW AND UPDATE

REF: A. 05 VILNIUS 733
[1](#)B. VILNIUS 581

SUMMARY

[1](#)1. (SBU) The newest front in Lithuania's struggle to come to terms with its troubled past is a Jewish cemetery that Russian Czars closed in 1830 and which they and the Soviets largely destroyed. The site, known as the Snipiskes cemetery, has attracted the fervent interest of the Committee for the Preservation of Jewish Cemeteries in Europe (CPJCE) and U.S.-based groups. Their representatives dispute the boundaries of the cemetery and seek to prevent the commercial development of the area and further disturbance of any remaining graves. A Lithuanian government commission is considering archeological evidence, the legal framework for protecting cultural heritage, and the public interest. The commission's efforts to involve representatives of interested foreign parties have not succeeded, and initial contacts between the foreign groups and Lithuanian authorities have been acrimonious. Meanwhile, the City of Vilnius has indicated its intention to purchase the property from its current private owner as part of an urban development strategy. The Embassy has repeatedly engaged the Prime Minister and members of his government, the Vilnius Mayor, and representatives of local and international Jewish interest groups in an effort to encourage an amicable resolution to the controversy. End Summary.

HISTORY AND BACKGROUND

[1](#)2. (SBU) Archeological surveys indicate that the Old Jewish Cemetery of Vilnius (Snipiskes Cemetery) was active from the late 15th century until its closure by the Czar in 1830. Since that time, several major events disturbed and largely destroyed the Jewish Cemetery. In 1831, the Czar ordered the construction of a fort on the north bank of the Neris River that destroyed much of the southern part of the cemetery. In 1901, an underground electrical station was built with several support buildings on the area. Photographs from this era show that, while many parts of the cemetery were disturbed, a large portion remained intact. After WWII, construction of the Zalgiris Stadium in 1950 by Soviet authorities destroyed tombstones and graves. The Soviet rulers of Vilnius decided to destroy all remaining tombstones in 1955. The 1971 construction of the Vilnius Sports Palace, an unsightly exemplar of socialist realism, and the installation of underground water, sewerage, and other services led to further destruction of graves in the area. While archeological evidence indicates that some burial sites remain subsoil, there is no above-ground evidence of the existence of the cemetery, except for a monument on the

southeast corner of the site.

DEVELOPMENT ALONG THE RIVER

13. (SBU) Two parcels -- the King Mindaugas apartment complex and the Sports Palace complex -- are at the heart of the controversy. Construction of the Mindaugas complex began about three years ago on the foundation of an old swimming pool. The Mission became aware of the controversy in June 2005, when Amcit Rabbi Chizkiva Kalmanowitz contacted us about his concerns during a visit to Lithuania (ref A). Those concerns were not shared by Rabbi Sholom Ber Krinsky, an American citizen who is the local Chabad rabbi. Rabbi Krinsky told us last year that Chabad had previously viewed the Mindaugas site and had no problems with it. Simonas Alperavicius, the president of the Lithuanian Jewish Community, gave us a similar assessment; in fact, Alperavicius told us that the city government's handling of the prior construction on the site had been commendable.

14. (SBU) Construction in June 2005 was already well under way, and today it is mostly complete, with only interior finishing and some ground-leveling remaining. Prior to commencing construction, contractors had archeological surveys performed and, on the basis of the findings, received construction permits. The empirical evidence that this Mission has had the opportunity to review indicate that the site was outside the bounds of the cemetery. (Note: Archeological surveys in 1996 and 2005 found random scattering of bones, but no Jewish graves in areas near the Mindaugas complex. Historical maps from the 19th and 20th centuries also seem to place the Mindaugas complex outside

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the cemetery boundaries. End note.) The CPJCE and others international groups dispute this conclusion and allege that the cemetery extended to the Mindaugas site.

15. (SBU) The Sports Palace property indisputably rests in the middle of the former cemetery. Archeological surveys from 1996-1998 show the existence of undisturbed graves in the immediate vicinity of the Sports Palace. During construction of a road adjacent to the Sports Palace property during 2001-2003, the scattered remains of some 700-800 individuals were unearthed and reburied in a Jewish cemetery just outside Vilnius. At the time of the roadwork, no international Jewish group questioned the act and Rabbi Krinsky presided over the reburial. Krinsky also said that Vilnius municipal authorities were conscientious in ensuring that the local Jewish community was able to relocate any disturbed remains.

16. (SBU) The Lithuanian Confederation of Trade Unions sold a majority stake in the Sports Palace property that it had held since Soviet times to private developers in 2004, a transaction financed by Ukio Bankas. Ukio Bankas, one of the country's largest financial institutions, purchased a controlling interest in the site in April 2005. A Vilnius Court in November 2005 upheld an earlier ruling prohibiting the sale of trade union property for commercial purposes, effectively preventing Ukio Bankas from developing the property. Ukio Bankas has now signed an agreement to negotiate the sale of the Sports Palace site to the City of Vilnius. The Vilnius City Council approved the deal on June 8, and the City has until September 1 to sign the deal. The city has not presented any plans for new construction on the site.

GOL ESTABLISHES COMMISSION; MFA TROUBLED BY ULTIMATUMS

17. (SBU) The Prime Minister established a commission March 27 to consider the cemetery controversy and make recommendations to the Government for its resolution. MFA Vice Minister

Zenonas Petrauskas heads the commission which comprises representatives from the City of Vilnius, the local Jewish Community, the Minorities Department, the Ministry of Justice, and the PM's office. In May, MFA invited a number of representatives of the international Jewish community with an interest in the Snipiskes cemetery to come to Vilnius to try to work out a common strategy. Rabbi E. Schlesinger of the London-based Committee for the Preservation of Jewish Cemeteries in Europe, Ariele Klein, an Israeli-based soils expert, AmCit Rabbi Chizkiva Kalmanowitz, and others participated.

¶8. (SBU) MFA Americas Director Jonas Paslauskas and Deputy Lina Antanaviciene told us that the meetings were non-productive and confrontational. Antanaviciene said it was clear that, despite the evidence of archeological surveys, historical maps, and outside experts, the visiting rabbis were convinced that the cemetery encompassed the site of the Mindaugas construction and that they believed that Lithuanians were lying about the evidence. Antanaviciene said that the visitors disputed the GOL maps, which show that the current construction site is not on the old cemetery site, but presented none of their own. She said they offered only some photos and old postcards that showed a fence in front of what is now the Mindaugas complex.

¶9. (SBU) Soon after the visit, the rabbis released a two-page statement denouncing the GOL's "attempts to misrepresent the true location of the cemetery boundaries." Antanaviciene said that the two-page report was full of inaccuracies, including the following:

- Ukio Bank is building an apartment building on the site.
- "Old maps" prove that the Mindaugas complex lies on the site of the old cemetery and that bones have been discovered on the site.
- The GOL is using "amended" (read: falsified) maps to prove that the Mindaugas site is off of cemetery grounds.
- The Vilnius Jewish community "strongly supported the delegation in its demands." (The Lithuanian Jewish Community signed off on an agreed delineation of the cemetery's boundaries on August 19, 2005.)

¶10. (SBU) Paslauskas said the Jewish groups are, in his words, "blackmailing" the GOL. In a faxed letter dated May 28 from Schlesinger to the Lithuanian Ambassador in London, Schlesinger advised that the GOL had ten days (i.e., until

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June 7) to agree to conduct a "sub-surface scan to prove the existence of graves on the site." Schlesinger demanded that the GOL impose a work stoppage at the construction site pending the results of the scan and stipulate in writing that it would halt construction permanently if the scan reveals the existence of graves. In a separate note to the City of Vilnius dated May 18, Schlesinger stated that he already referred the matter to the European Parliament.

¶11. (SBU) Vilnius Mayoral Advisors Vytautas Toleikis and Roseta Vingeviciute told us that the May 9 meetings were unproductive. They lamented that the Vice-Mayor of Vilnius spent the entire day with the international groups, but they were unwilling to accept any evidence the government presented regarding the Mindaugas complex. They were also surprised the group's interest focused on the Mindaugas complex, which is in private hands and for which construction is largely complete.

¶12. (SBU) Paslauskas told us that the Government did not intend to respond to the rabbi's ultimatum. He said that the GOL wants the commission to continue its discussions and consultations with technical experts, but considers the ultimatums an affront to Lithuanian sovereignty and will not

accept them. Nonetheless, he continued, the GOL remains willing to try to secure access to the site for the visiting delegation's technical experts, accompanied by Lithuanian experts. In phone conversations with Schlesinger, we pointed out that the June 1 fall of the Lithuanian Government precluded the GOL from accepting his terms. June 7 came and went without any sign of the "other courses of action" about which Schlesinger had warned.

Cultural Preservation, Lithuanian Style

¶13. (SBU) Albinas Kuncevicius of the Cultural Heritage Department of the Ministry of Cultural on June 7 seconded MFA's call for more technical work to achieve a common understanding of the facts on and under the ground. The Cultural Heritage Department, Kuncevicius noted, will require archeological surveys of the Sports Palace site before authorizing any construction, just as it did for the Mindaugas site. Regarding the Mindaugas complex, Kuncevicius showed us numerous archeological surveys and maps that he said indicate that the Mindaugas complex is outside the Jewish cemetery. He acknowledged that construction activities since 1831 shifted bones all over the area, and that archeological surveys document their presence. He pointed out, however, that Lithuanian cultural heritage laws protect cemeteries, not scattered bones. Kuncevicius said that his department's mandate to protect cemeteries as cultural heritage may likely lead him to limit construction on the Sports Palace grounds to the site of existing structures, but said that further archeological work is needed.

THE ROAD AHEAD

¶14. (SBU) Ambassador Mull told then-Prime Minister Brazauskas on May 30 and Parliamentary Speaker Viktoras Muntianas on June 6 about the importance for Lithuania of finding a solution to the dispute. He also wrote to Acting Prime Minister Zigmantas Balcytis and Vilnius Mayor Arturas Zuokas on June 12 to urge Lithuania to seek to involve all interested parties in the commission and to pursue a solution that accounts for the historic and spiritual importance of the site. We also remain in contact with Rabbi Schlesinger, Bernard Fryshman, and other interested foreign parties in advocating for a dialogue with the GOL.

¶15. (SBU) There will probably always be critics of any outcome that does not involve the abandonment of the Mindaugas complex and prohibition of any activity on the rest of the site. In our view, the likelihood of this occurring is close to zero. The Mindaugas complex is a fait accompli, which Lithuanians consider a legitimate project by private developers. Vilnius citizens are unlikely to support the indefinite retention of the graffiti-stained Sports Palace in its current, decrepit state.

¶16. (SBU) At the same time, the GOL can do more to seek an amicable resolution with international stakeholders. The Mission will remain engaged with the GOL so that it does so. The commission's work, we think, offers the only viable way out of the dispute. We will continue to urge the GOL commission to identify a solution that addresses the concerns

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of international Jewry and the Lithuanian Jewish community. We are concerned that while the commission is on the right track, it lacks structure and a roadmap toward the development of recommendations. We intend to continue to urge the commission to:

-- appoint an ad hoc group of international specialists to attend to the technical work ahead, including subsurface

scans, boundary surveys, and other archeological work;

-- consider and research the experience of other European neighbors who have taken on similar problems;

-- ensure that the commission's work emphasizes the historical and spiritual importance of the site, supporting the revival of Jewish culture in Lithuania;

-- extend the September 1 deadline for completion of the commission's work before putting forward final recommendations;

-- establish a work plan for the commission that assigns responsibilities and expectations for the members; and

-- produce a written report formulating recommendations for public disclosure.

¶17. (SBU) The GOL is progressing towards these targets. Antanaviciene told us on June 20 that the GOL commission had achieved some progress at its June 13 meeting. Antanaviciene said that the MFA will ask Mayor Zuokas for a voluntary halt on new construction on the Sports Palace property until the commission presents its findings. She also said that the GOL commission will likely expand its membership, passing chairmanship from MFA to the Ministry of Environment, which has authority over territorial planning. MFA will also contact the Israeli government for assistance in identifying experts from the international Jewish community who could offer technical advice to the commission. She also said that the MFA remains hesitant to include groups which have spoken falsely about the issue and misrepresented the opinions of the local Jewish community. She said, however, that they do want to include, as much as possible, the varied opinions of the international Jewish community. In the meantime, the GOL commission is again researching all existing archival and archeological information available for the site and will formulate an opinion about the site's boundaries. This commission plans to present its recommendations for resolving the issue to the PM by September 1, but Antanaviciene said the delays in forming a government (ref B) may delay the final presentation.

¶18. (SBU) For our part, this Mission will also continue to respond to the inquiries of U.S. and international Jewish organizations. We will encourage them to play a constructive role in the work of the commission, and reiterate our advice that they seek legal counsel in Lithuania.

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